

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ DELTA, LLC,

Plaintiff,

v.

COMMSCOPE HOLDING COMPANY,
INC., COMMSCOPE, INC., ARRIS US
HOLDINGS, INC., ARRIS SOLUTIONS,
INC., ARRIS TECHNOLOGY, INC., and
ARRIS ENTERPRISES, LLC,

Defendants.

Civil Action No.: 2:21-cv-00310-JRG

**DECLARATION OF LANA SHIFERMAN IN SUPPORT OF
COMMSCOPE'S MOTION FOR PARTIAL
SUMMARY JUDGMENT TO LIMIT DAMAGES BASED ON 35 U.S.C. § 286**

I, Lana Shiferman, declare:

1. I am a partner at Goodwin Procter LLP, counsel of record for Defendants CommScope Holding Company, Inc., CommScope Inc., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology (collectively, "CommScope"). I am over the age of 18 years, have personal knowledge of the matters in this declaration, and if called as a witness, I would and could competently testify to them.

2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the Corrected Expert Report of Jonathan D. Putnam, dated September 3, 2022.

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the Supplemental Expert Report of Jonathan D. Putnam, dated November 16, 2022.

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from CommScope's Sixth Supplemental Objections and Responses to Plaintiff's First Set of

Interrogatories (Nos. 1–18), dated November 14, 2022.

5. Attached hereto as **Exhibit D** is a true and correct copy of a user guide for the 5168 Accused Product, bearing Bates numbers COMMSCOPE018563–8594.

6. Attached hereto as **Exhibit E** is a true and correct copy of a user guide for the 5268 Accused Product, bearing Bates numbers COMMSCOPE026243–6274.

7. Attached hereto as **Exhibit F** is a true and correct copy of product release notes for the NVG589 Accused Product, bearing Bates numbers COMMSCOPE070299–0312.

8. Attached hereto as **Exhibit G** is a true and correct copy of a datasheet for the NVG599 Accused Product, bearing Bates numbers COMMSCOPE038709–8711.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts from the transcript of the August 10, 2022 deposition of Steven Wauters.

10. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from the transcript of the January 21, 2022 deposition of James Shead.

11. Attached hereto as **Exhibit J** is a true and correct copy of excerpts from the transcript of the August 12, 2022 deposition of Jaime Salazar.

12. Attached hereto as **Exhibit K** is a true and correct copy of excerpts from the transcript of the August 9, 2022 deposition of Paul Baker.

13. Attached hereto as **Exhibit L** is a true and correct copy of excerpts from the Opening Expert Report of Todor Cooklev, Ph.D., dated August 29, 2022.

14. Attached hereto as **Exhibit M** is a true and correct copy of excerpts from the transcript of the December 9, 2022 deposition of Dr. Todor Cooklev.

15. Attached hereto as **Exhibit N** is a true and correct copy of excerpts from the Responsive Expert Report of Dr. Naofal Al-Dhahir Regarding Family 10, dated November 18,

2022.

16. Attached hereto as **Exhibit O** is a true and correct copy of excerpts from the Responsive Expert Report of Dr. Niel Ransom on Non-Infringement of the Family 2, 3, 6, 9A and 9B Patents, dated November 18, 2022.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 14, 2022, in Boston, Massachusetts.

/s/ Lana Shiferman
Lana Shiferman

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel on December 14, 2022.

/s/ **DRAFT**